

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-vs-

RICHARD N. AMICO,

Defendant.

Index No. 00-CR-6155 (CJS)

Notice of Motion

Via ECF

MOTION MADE BY:

Defendant Richard N. Amico, through his attorneys, DERSHOWITZ, EIGER & ADELSON, P.C., Victoria B. Eiger, who is making a limited appearance for the purpose of making this motion

DATE, TIME and PLACE
OF HEARING:

At the United States Courthouse, 100 State Street, Rochester, New York at a time to be determined by the Court (No oral argument requested)

SUPPORTING PAPERS:

Affirmation of Victoria B. Eiger dated June 14, 2006, with attachments

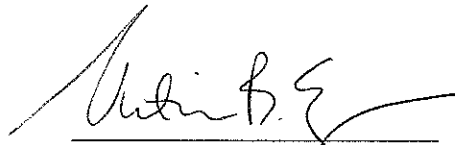
RELIEF REQUESTED:

An order granting bail pending appeal

GROUND FOR RELIEF:

Richard Amico meets all requirements for bail pending appeal

DATED: June __, 2006
New York, New York

A handwritten signature in black ink, appearing to read 'Victoria B. Eiger', written over a horizontal line.

Victoria B. Eiger, Esq.

Dershowitz, Eiger & Adelson, P.C.
220 Fifth Avenue
Suite 300
New York, NY 10001
Telephone: (212) 889-4009

TO: Richard A. Resnick, Esq. A.U.S.A.
United States Attorney's Office
620 Federal Building
100 State Street
Rochester, NY 14614

Matthew Lembke, Esq.
Cerulli, Massare & Lembke
Attorney for Defendant Robert J. Amico
134 S. Fitzhugh Street
Rochester, NY 14608

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
 :SS:
COUNTY OF NEW YORK)

Caitlin Egleson, being duly sworn, hereby states that: I am over the age of eighteen (18) years and I am not a party to this action.

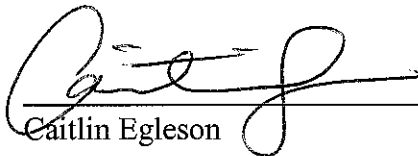
On the 14th day of June, 2006, I presented Richard N. Amico's Notice of Motion for Bail Pending Appeal, with supporting Affirmation and Exhibits to the Clerk of the Court for filing and uploading to the CM/ECF system, and I hereby certify that I have served the following via the CM/ECF system to:

Richard Resnick, Esq.
U.S. Attorney's Office, WDNY
Rochester Office
U.S. Courthouse
100 State Street
Rochester, New York 14614

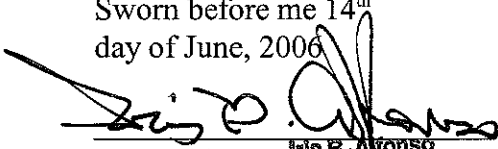
Matt Lembke, Esq
Cerulli, Massare & Lembke
134 S. Fitzhugh Street
Rochester, NY 14608

and by depositing a true copy of the same in a properly addressed post paid wrapper in a regularly maintained official depository under the exclusive care and custody of the United States Postal Service located in the City, State and County of New York.

I declare under penalty of perjury that the foregoing is true and correct.


Caitlin Egleson

Sworn before me 14th
day of June, 2006


Notary Public, State of New York
No. 01AL5040917
Qualified in New York County
Commission Expires Sept. 19, 2009